

**Rationale for Modification to  
Tennessee's NPDES General Permits  
August 29, 2003**

**I. Background**

The Division of Water Pollution Control (the division), on a regular basis, collects chemical, physical and biological data on Tennessee's rivers, lakes and streams. Using this data, the division determines the appropriateness of permit requirements and also assesses stream use support status. Every two years, in accordance with the Clean Water Act, the division compiles a list of the streams that do not fully support their designated uses. This list is commonly referred to as the "303(d) list." At the time of publication, the 303(d) list accurately reflects the use support status of Tennessee's impaired waters. However, data collection and assessment between publication may identify new impairments or may also reveal water quality improvements that allow uses to be met. For this reason, it is incorrect to use the term, "303(d) listed" to refer to impaired waters. The general permits being modified have incorrectly used the term, "303(d) listed" to refer to impaired waters. The permits are being modified to correctly refer to such waters as "impaired."

The following permits will be affected:

- General NPDES Permit for Discharges of Storm Water Runoff and Process Waste Water Associated with Ready Mixed Concrete Facilities
- General NPDES Permit for Discharges of Filter Backwash and Sedimentation Basin Washwater from Water Treatment Plants
- General NPDES Permit for Discharges of Treated Groundwater Associated with Underground Storage Tank Remediation
- General NPDES Permit for Concentrated Animal Feeding Operations
- General NPDES Permit for Discharges Associated with Hydrostatic Test Water
- General NPDES Tennessee Storm Water Multi-Sector Permit for Industrial Activities and
- General NPDES Permit for Storm Water Discharges Associated with Construction Activities.

**II. Description of Discharges**

These permits are for storm water and process water point source discharges from the above listed activities to waters of the state of Tennessee.

### III. Present Permit Conditions

The above listed general permits in one or more sections refer to 303(d) list or to receiving streams identified on the 303(d) list.

### IV. Proposed Terms and Conditions

The proposed revisions to the above listed general permits would replace any reference to 303(d) list with suitable wording referring to the receiving streams not meeting designated classified uses. This means that while the above listed general NPDES permits will not specifically refer to 303(d) list; these permits will insure that storm water and process water discharges from these regulated activities will not contribute to or have the potential to contribute to receiving stream which are not meeting their designated classified uses for the same pollutants of concerns.

### V. Permit issuance procedures

#### (a) Administration

These modifications to the general permits are drafted in accordance with and under authority of the Tennessee Water Quality Control Act of 1977 (T.C.A. 69-3-101 et seq.) and approval from the United States Environmental Protection Agency under the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq.) and the Water Quality Act of 1987, P.L. 100-4.

#### (b) Consideration of comments and permit issuance decisions

The division proposes to modify these permits with the described verbiage and references to waters of the state not meeting their designated classified use. These conditions are tentative and open to comment. Interested persons are invited to submit written comments for consideration to the following address:

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